

UNCLASSIFIED 2/16/83  
Department of State

INCOMING  
TELEGRAM

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ACTION HCR-20

INFO OCT-00 ADS-00 INR-10 H-01 ARA-00 HA-00 AMAD-01  
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R 161658Z FEB 83  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC 6467

UNCLAS SECTION 01 OF 02 BUENOS AIRES 01031

H PASS TO CONGRESSMAN MICHAEL BARNES AND CONGRESSWOMAN  
BARBARA MIKULSKI

ALSO FOR ARA/SC, HA/HR, AND INR

E.O. 12356: DECL N/A

TAGS: SHUM, AR

SUBJ: ARGENTINE REPLY TO CODEL BARNES' INQUIRIES

1. THE ARGENTINE MINISTRY OF FOREIGN RELATIONS GAVE US ON  
FEBRUARY 10 THE FORMAL REPLY FROM THE MINISTRY OF INTERIOR  
TO THE LETTERS FROM CONGRESSMAN BARNES AND CONGRESSWOMAN  
MIKULSKI WHICH THEY LEFT WITH MINISTER OF INTERIOR RESTON  
DURING THEIR JANUARY VISIT. THE FOLLOWING IS AN UNOFFI-  
CIAL TRANSLATION OF THE NOTE FROM THE MINISTER OF INTERIOR  
TO THE MINISTER OF FOREIGN RELATIONS AND WORSHIP:

BUENOS AIRES, FEBRUARY 2, 1983

MR. MINISTER:

I AM ENCLOSING A NOTE SENT BY MICHAEL D. BARNES AND  
BARBARA MIKULSKI AND IN RESPONSE I INFORM YOU:

1. EMILIO ENRIQUE ARQUIOLA: WAS ARRESTED BY THE NATIONAL  
EXECUTIVE BRANCH UNDER DECREE NO. 169 OF JANUARY 23, 1975.  
HE HAS BEEN SENTENCED TO SIX YEARS OF IMPRISONMENT AND  
THE SENTENCE HAS BEEN APPEALED. AT THE TIME HE WAS  
DETAINED, HE SUFFERED FROM CHRONIC DIABETES WHICH NEEDED  
CONSTANT INSULIN TREATMENT, AND FOR THIS REASON HE RECEIVED  
INSULIN AND A SPECIAL FOOD DIET. HE NOW HAS  
THE GLUCEMIA STABILIZED. HIS HEALTH IS GOOD.

2. JORGE MARIO DOMINGO MARCA: WAS ARRESTED BY THE NATIONAL  
EXECUTIVE BRANCH UNDER DECREE NO. 1423 ON NOVEMBER 13,  
1974. HE WAS OPERATED ON FOR A CEREBRAL ANEURYSM IN 1974  
AND IS RECOVERING FAVOURABLY. HIS PRESENT HEALTH IS GOOD.  
HE HAS SOME TROUBLE SPEAKING BUT IS RECEIVING PROPER  
HEALTH TREATMENT. HE HAS HAD TOMOGRAPHIES TAKEN OF HIS  
LARYNX AND HAS HAD OTHER CORRECTIVE STEPS TAKEN AT THE  
SUGGESTION OF THE TEAM OF PHYSICIANS WHO ASSIST HIM, WHICH  
HELPED TO OVERCOME THE SPEAKING PROBLEMS.

3. ISIDORO AND EMILIA GELSTEIN: WERE ARRESTED BY THE  
NATIONAL EXECUTIVE BRANCH UNDER DECREE 2335 ON OCTOBER 9,  
1975. EMILIA GELSTEIN'S ARREST CAME TO AN END BY DECREE  
NO. 3340 ON DECEMBER 21, 1975. BOTH WERE SENTENCED TO 12  
YEARS IMPRISONMENT FOR THE COMMISSION OF CRIMES UNDER  
ARTICLES 189, SUB- PARAGRAPH 4, AND 213 OF THE PENAL CODE,  
IN ACCORDANCE WITH ARTICLE ONE, LAW 20,840. THE SENTENCE  
EXPIRES ON OCTOBER 3, 1987. AT THIS MOMENT, THE HEALTH  
OF BOTH DETAINEES IS NORMAL.

4. BLANCA FRIDA BECHER DE MOCULSKY: ARRESTED BY THE  
NATIONAL EXECUTIVE BRANCH UNDER DECREE NO. 3384 OF  
NOVEMBER 12, 1975. SHE HAS A SENTENCE OF 10 YEARS IMPRI-  
SONMENT FOR THE COMMISSION OF CRIMES UNDER ARTICLES 141,  
170, 189 SUB- PARAGRAPHS 3 AND 5, AND 213 OF THE PENAL  
CODE. SHE HAS HAD HEALTH PROBLEMS IN THE PAST BUT THESE

HAVE NOT BEEN OF A SERIOUS NATURE, AND NOW HER HEALTH IS  
NORMAL. HER BEHAVIOR IS A PROBLEM BECAUSE SHE DOES NOT  
OBEY THE RULES OF THE PRISON. SHE CONTINUES TO SUPPORT  
THE TERRORIST ORGANIZATION TO WHICH SHE BELONGED AS A  
MILITARY-FRONT COMBATANT, IN SPITE OF HER CONFINEMENT.

REGARDING THE CASES OF NELIDA AZUCENA SOSA DE FORTI;  
MONICA LEMOS DE LAYALLE; CECILIA LAURA MINERVINI; CLAUDIO  
MARIN GERBILSKY AND MAURICIO FABIAN WEINSTEIN, AT THE  
REQUEST OF THEIR FAMILIES, EXHAUSTIVE EFFORTS TO DETERMINE  
THEIR WHEREABOUTS HAVE BEEN MADE.

I SUGGEST TO YOU, MR. MINISTER, THE IDEA OF SENDING TO THE  
CONGRESSMEN COPIES OF THE BOOK "TERRORISM IN ARGENTINA",  
EDITED IN ENGLISH.

SINCERELY,

MAJOR GENERAL LLAMIL RESTON  
MINISTER OF INTERIOR

2. FOR YOUR INFORMATION, THE ARTICLES OF THE PENAL CODE  
MENTIONED IN MINISTER RESTON'S NOTE DEAL WITH THE FOLLOW-  
ING CRIMES:

- A. ISIDORO AND EMILIA GELSTEIN
- ARTICLE 189, SUB-PARA 4: POSSESSION OF STOCKS OF  
WEAPONRY; PRISON TERM, 3-10 YEARS.
  - ARTICLE 213: ILLICIT ASSOCIATION; WHEN THREE OR MORE  
PERSONS CONSPIRE TO COMMIT A CRIME; MINIMUM PRISON  
SENTENCE, FIVE YEARS.

*COPIES  
Argentine  
Ind. Inquiries*

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

☒ Release ( ) Excise ( ) Deny

Exemption(s):

Declassify: ( ) In Part ( ) In Full

( ) Classify as ( ) Extend as ( ) Downgrade to

Date \_\_\_\_\_ Declassify on \_\_\_\_\_ Reason \_\_\_\_\_

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*Department of State*

INCOMING  
TELEGRAM

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ACTION HCRE-00

INFO OCT-00

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 6468

UNCLAS SECTION 02 OF 02 BUENOS AIRES 01031

H PASS TO CONGRESSMAN MICHAEL BARNES AND CONGRESSWOMAN  
BARBARA MIKULSKI

- ARTICLE 1, LAW 20,840: SUBVERSIVE ACTIVITIES (I.E.,
- REVOLUTION, PROMOTING TO OVERTHROW THE GOVERNMENT, ETC)
- PRISON TERM, 3-8 YEARS.

B. BLANCA MOCIULSKY

- ARTICLE 141: KIDNAPPING; PRISON TERM, 1-6 YEARS.
- ARTICLE 170: KIDNAPPING FOR RANSOM: PRISON TERM, 5-15
- ARTICLE 189, SUB- PARA. 5: POSSESSION OF MILITARY SPARE
- PARTS (E.G. BULLETS) WITHOUT LEGAL AUTHORIZATION,
- PRISON TERM, 3-6 YEARS.
- ARTICLE 213: SEE ABOVE UNDER GELSTEIN.

3. WE WILL SEND THE BOOK "TERRORISM IN ARGENTINA" AS SOON  
AS WE RECEIVE COPIES FROM THE MINISTRY OF FOREIGN RELATION  
WE WILL ALSO CONTINUE TO FOLLOW THESE CASES AND TO KEEP  
THEM APPROPRIATELY HIGH ON OUR LIST OF HUMAN RIGHTS CASES  
TO RAISE WITH THE GOVERNMENT AS OPPORTUNITIES ARISE. IN  
THIS CONNECTION, WE WOULD APPRECIATE ANY ADDITIONAL  
INFORMATION THAT MIGHT BECOME AVAILABLE. BUSHNELL

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